

AMENDED RULES OF THE MINNEAPOLIS CHARTER COMMISSION (6/12/97)
(proposed changes, 07/25/03 and 09/05/03)

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**AMENDED RULES OF THE MINNEAPOLIS CHARTER COMMISSION
(6/12/97) (proposed change, 07/25/03)**

Rule 1. Amended Rules of the Charter Commission ("Rules").

1.1 Except as otherwise specifically provided in these Rules, Robert's Rules of Order Newly Revised, is adopted as rules for the procedural conduct of meetings of the Charter Commission. (1/14/93) (proposed change, 10/10/03)

1.2 Except as otherwise provided in these Rules, an affirmative vote of two-thirds of the Commissioners present and voting shall be required to amend these Rules. (3/10/88) (proposed change, 07/25/03)

1.3 Any Rule of the Charter Commission may be suspended for any reason by an affirmative vote of two-thirds of the Commissioners present and voting; debate shall be limited to one Commissioner speaking not more than two minutes for the suspension and one Commissioner speaking not more than two minutes against such suspension selected by the Chairperson. (1/14/93) (proposed change, 10/10/03)

1.4 Every Commissioner of the Minneapolis Charter Commission shall be furnished with a copy of the City Charter (8/10/89), Minnesota Statutes §§ 410.01 et seq., and these Rules. (proposed change, 10/10/03)

1.5 Unless prohibited under applicable law, notice relating to Commission business, but not the business itself, may be by any communication by and among the Charter Commission Coordinator and the Commissioners or by and among the Commissioners shall be lawful whether communicated in person, by phone conference, conference call, video conference, written letter, email, voicemail, or facsimile transmission. (proposed change, 07/25/03 and 10/10/03)

1.6 Any Commissioner may be considered in attendance at a regular or special meeting of the Commission if such Commissioner is off-site of the actual meeting place but is able to communicate with other Commissioners in attendance by video conference and, if a quorum exists, in physical attendance at the meeting site. (proposed change, 07/25/03 and 09/05/03)

1.7 A quorum shall consist of six duly appointed Commissioners of the Charter Commission. If a quorum is no longer present at a duly convened meeting, the Commission may continue to receive oral or written reports and to allow speakers, but the Commission may not consider any resolution or motion or conduct any other Commission business for which a vote of the Commissioners is required.

Rule 2. Meetings.

2.1 Regular Meetings. (proposed change, 10/10/03)

2.1.1 The Commission shall regularly meet monthly on the first Wednesday that is not a state or federal holiday, at 4:00 p.m., at the Minneapolis City Courthouse, Minneapolis, Minnesota, unless the Commission selects a different time or site, or both, as coordinated by the Charter Commission Coordinator under Rule 2.1.9. (proposed change, 10/10/03)

2.1.2 There shall be a set agenda for each meeting, which will be proposed by the Chairperson but which may be amended by a majority vote of the Commissioners present and voting prior to the adoption of the agenda at the beginning of each meeting or by a two-thirds majority vote of the Commissioners present and voting at any time thereafter. A typed agenda shall be prepared by the Charter Commission Coordinator who shall use his/her best efforts to mail such agenda to the Commissioners, with the minutes of the last meeting, at least one week prior to the next Commission meeting. (1/14/93) (proposed change, 10/10/03)

2.1.3 If no quorum is present thirty minutes after the scheduled time of the meeting, said meeting is automatically canceled without need for motion, resolution or declaration by the Chairperson. (8/12/97) (proposed change, 07/25/03)

2.1.4 In accordance with the Minnesota Open Meeting Law, only an occasion at which a quorum is present and Commission business is discussed, shall constitute a Commission meeting. (1/14/93) (proposed change, 07/25/03)

2.1.5 Routine communications, such as excused absences which have been received by the Charter Commission Coordinator prior to the scheduled time of a Commission meeting, shall be noted and appear in the minutes of the meeting. Excused absences may be based on, among other things, conflicts with a Commissioner's work, medical problems, a family emergency, or weather. (proposed change, 07/25/03)

2.1.6 Each Commissioner shall use his/her best efforts to provide the Charter Commission Coordinator with notice of inability to attend and the reason therefore at least 24 hours prior to the time of a scheduled meeting. Excused absences may be granted by the Chairperson within 24 hours after the adjournment of a scheduled meeting under special circumstances. The Chairperson shall either accept the special circumstances, reject the special circumstances or request the validations of a special circumstance as an excused absence be adjudged by a majority of the Commissioners present and voting at the next scheduled meeting. (8/10/89) (proposed change, 10/10/03)

2.1.7 When the Commission's regularly scheduled business is concluded, observers in the audience may be heard, provided such observer identifies herself/himself, sets forth his/her address and whether such speaker is speaking as an advocate on behalf of a third party (whose complete name and address should then be provided) or is speaking on his/her own behalf. Such observers shall speak for no more than a period of five-minutes. Preference shall be given to observers who wish to speak if such observers are residents of the City of Minneapolis. Thereafter, any observers who are non-residents of the City of Minneapolis will be allowed to speak if time permits at the Chairperson's discretion. The Chairperson may declare an end to the period for which observers may be heard but a majority of the Commissioners then present and voting may also by motion to terminate or extend the time, or set the time limit, for observer remarks which shall supersede any declaration by the Chairperson. (2/9/84) (proposed change, 07/25/03 and 10/10/03)

2.1.8 After three consecutive unexcused absences, the Chairperson of the Commission shall inform the absent Commissioner, by letter, of Chapter 410.05, Subd. 2, which states:

"When any member has failed to perform the duties of office and has failed to attend four consecutive meetings without being excused by the Commission, the secretary of the Charter Commission shall file a certificate with the court setting forth those facts and the District Court shall thereupon make its order of removal and the Chief Judge shall fill the vacancy created thereby." (8/10/89)

2.1.9 If it is apparent to the Chairperson prior to a scheduled meeting that a quorum will not be able to be present at the scheduled time of such meeting, the Chairperson may cancel a scheduled meeting and direct the Charter Commission Coordinator to send written notice to the Commissioners of such cancellation. The Chairperson may also coordinate through the Charter Commission Coordinator a substitute date and location for a meeting prior to the next scheduled meeting but such notice must comply with statutory requirements and be mailed or otherwise delivered at least five days prior to the rescheduled meeting. (proposed change, 07/25/03)

2.2 Special Meetings. (proposed change, 07/25/03)

2.2.1 Special meetings of the Charter Commission may be called by the Chairperson or by an affirmative written request given to the Charter Commission Coordinator by at least one-third of the Commissioners. Notice of the time and place of a special meeting must comply with statutory

requirements and must be mailed or otherwise delivered at least five days prior to the special meeting. (1/14/93) (proposed change, 07/25/03)

2.3 Public Meetings/Public Hearings. (proposed change, 07/25/03)

2.3.1 The Commission may hold a public hearing on any proposal to amend the Charter, and shall schedule any such hearing for a future meeting, not earlier than its next regular meeting. (3/11/93) (proposed change, 10/10/03)

2.3.2 At public hearings, the Chairperson shall allocate up to 15 minutes to a speaker advocating for passage of a resolution or motion and up to 15 minutes to a speaker opposing passage of a resolution or motion. (proposed change, 07/25/03)

2.3.3 Subsequent to the presentations by proponents or opponents as provided in Rule 2.3.2, members of the public may speak for up to two minutes per person, but collectively for not more than 60 minutes, provided that any speaker must state his/her full name and address and whether such speaker is speaking as an advocate on behalf of a third party or on behalf of himself/herself. (proposed change, 07/25/03)

2.3.4 Preference shall be given to residents of the City of Minneapolis desiring to speak at public hearings under Rule 2.3.2 or Rule 2.3.3. Thereafter, non-residents of the City of Minneapolis desiring to speak will be permitted to do so if time permits at the Chairperson's discretion, or by vote of a majority of the Commissioners then present and voting which shall supersede the Chairperson's discretion.

Rule 3. Election, Duties of Officers, and Term. (proposed change, 07/25/03)

3.1 Annual election of Commission officers will be held at the first meeting a quorum is present after January 1 of each year. Any officer elected shall continue until a successor is duly elected, unless removed pursuant to Rule 3.4. (proposed changes, 07/25/03 and 10/10/03)

3.2 The officers of the Commission and the duties of those offices are as follows: (proposed change, 07/25/03)

3.2.1 Chair: Presides over the Charter Commission and is the official spokesperson for the Commission. (proposed changes, 7/25/03 and 10/10/03)

3.2.2 Vice-Chair: Performs the duties of the Chairperson in the absence of the Chairperson and presides at Commission meetings when the Chairperson steps down from presiding to debate a matter before the Commission. (proposed change, 07/25/03)

3.2.3 Secretary: Performs the duties of the Chairperson in the absence of both the Chairperson and Vice-Chairperson and presides when the Chairperson and Vice-Chairperson are absent or wish to debate a matter before the Commission. (proposed change, 07/25/03)

3.2.4 Chairperson Pro Tem: Performs the duties of the Chairperson when other officers are absent or wish to debate a matter before the Commission; the Chairperson Pro Tem shall be the most senior Commissioner then present. (proposed change, 10/10/03)

3.3 When a vacancy occurs in any office, such vacancy will be declared at a Charter Commission meeting, and an election for such office will be held at the following Commission meeting. The Chairperson shall be responsible for communications as required with the chief judge of the district court. For this purpose, a vacancy occurs upon resignation from office or the expiration of the Commission term of such officer. (1/14/93) (proposed changes, 07/25/03 and 09/05/03)

3.4 An officer may be removed by a two-thirds majority vote of Commissioners present and voting. (proposed change, 07/25/03 and 10/10/03)

3.5 Upon a two-thirds majority vote of Commissioners present and voting, the Commission may create such other offices for a period of time and for prescribed responsibilities and duties as the Commission deems appropriate from time to time. (proposed change, 07/25/03)

3.6 Any action related to the administration of the Commission which is not specifically provided in these Rules, may be performed by an officer of the Commission, unless otherwise prohibited by Minn. Stat. § 410.01 et seq. or by the Minneapolis Charter. (proposed change, 07/25/03)

3.7 The term of office of a Commissioner shall be the maximum term allowed under Minnesota Statutes § 410.05, Subd. 2. A Commissioner shall hold the office as a Commissioner until his/her successor is appointed and qualified as provided under Minnesota Statutes § 410.05, Subd. 2. (proposed change, 07/25/03)

Rule 4. Special Committees. (proposed change, 07/25/03)

4.1 The Chairperson of the Commission shall designate, subject to consent by a majority of Commissioners then present and voting, the Commissioners to serve on any subcommittee or special committee of the Commission. At the time a subcommittee is established, any Commissioner may volunteer to serve on and shall be appointed to the subcommittee. Any member who does not volunteer at the time a committee is established may volunteer subsequently and may be appointed by a majority vote of the Commissioners present and voting on the appointment. Any member of the Commission has speaking privileges at all subcommittee or special committee meetings but only members of a subcommittee or special committee can vote. All meetings of subcommittees or special committees shall be announced, and, if applicable, public notice given in accordance with the Minnesota Open Meeting Law. (3/11/93) (proposed change, 07/25/03 and 10/10/03)

4.2 A quorum of a subcommittee or special committee of the Commission is a majority of the appointed members. (3/11/93) (proposed change, 07/25/03)

4.3 In accordance with the Minnesota Open Meeting Law, only an occasion at which a quorum of a subcommittee or special committee is present and at which Commission business is discussed does a subcommittee or special committee constitute a "meeting." (3/11/93) (proposed change, 07/25/03)

Rule 5. Proposing Charter Amendments to the Commission. (proposed change, 07/25/03)

5.1 A request to present a proposal for Minneapolis Charter change shall be filed with the Charter Commission Coordinator at least three business days prior to the scheduled meeting. The Commission will discuss the request at its next scheduled meeting or at regular or special meetings thereafter. If a resolution is adopted by obtaining a majority vote of the Commissioners present and voting, the Commission shall also set a time for the resolution to be considered at a public hearing. A public hearing is required prior to placement of a proposed Charter amendment on the ballot unless two-thirds of the members present and voting vote not to hold a public hearing. (3/11/93) (proposed changes, 07/25/03 and 09/05/03)

5.2 Charter amendment proposals that are to be placed on the ballot must be submitted to the Commission in writing for consideration before the second Wednesday in July of each year. (1/10/85) (proposed change, 07/25/03)

5.3 Power to limit or extend time of scheduled presentations, other than by Commission members, will be at the discretion of the Chairperson, but a majority of the Commissioners then present and voting may also by motion terminate or extend the time, or set the time limit, for presentations, which shall supersede the Chairperson's discretion. (2/9/84) (proposed change, 07/25/03 and 10/10/03)

5.4 No proposal to amend the Charter or to place the proposed amendment on the ballot may be adopted unless such resolution is, in each case, voted by a majority then present and voting which proposed amendment shall be signed by at least six of the Commissioners voting in favor of such proposed amendment at the meeting. (proposed change, 07/25/03 and 09/05/03)

Rule 6. Communications to Commission. (proposed change, 07/25/03)

6.1 Communications, by persons other than Commissioners, which discuss the merits of a proposal for Minneapolis Charter change, shall be filed until the time of the public hearing at which the proposal or related proposals are discussed. The Charter Commission Coordinator shall use his/her best efforts to duplicate and distribute such communications to each member three business days prior to each meeting, or sooner if required by law. (3/11/93) (proposed change, 07/25/03 and 10/10/03)

Rule 7. Actions of the Commission to Propose and Transmit Charter Amendments. (proposed change, 07/25/03)

7.1 A proposed Charter amendment shall be submitted by the Commission to the Minneapolis City Council by providing such amendment to the Minneapolis City Clerk which amendment shall be signed by a sufficient number of the Commissioners voting in favor of such proposed amendment at the meeting to constitute a majority needed for passage. (3/11/93) (proposed changes, 07/25/03 and 09/05/03)

Rule 8. Procedure for Handling Voter Petitions. (proposed change, 07/25/03)

8.1 When a proposed amendment by petition is in excess of 1,000 words and a summary is required by Minnesota Statutes § 410.12, Subd. 1, the Chairperson shall call a special meeting to be held within ten days of the submission of the amendment and summary, if required, to approve the amendment and summary, if applicable, as to form and substance. The Chairperson shall have the authority to appoint one, but not more than three, Commissioner(s) to prepare, within 10 days after the receipt of the amendment and any summary, revisions to the summary if the summary submitted by the proposers of the amendment is not acceptable to the Commission as to form and substance so that the summary, as modified, fairly complies with the requirements of Minnesota Statutes § 410.12, Subd. 1. The summary shall be submitted to the Commission for approval within 20 business days after the proposed amendment in excess of 1,000 words is presented to the Commission. The summary approval shall be signed by those members of the quorum voting in favor of such approval of the summary at the special meeting. (3/11/93) (proposed changes, 07/25/03 and 09/05/03 and 10/10/03)

8.2 A voter petition for a proposed Charter amendment under Minnesota Statutes § 410.12, Subd. 3 is filed when the Chairperson of the Commission receives it. If the Chairperson is out of town or incapacitated, a petition is filed when it is received by the Vice Chairperson or Secretary of the Commission. The Chairperson, Vice Chair, or Secretary, as the case may be, shall inscribe on the back of the voter petition the phrase "Received this ____ day of _____, ____ (year) at ____ a.m. or p.m." and shall sign his or her name under such phrase. (3/11/93) (proposed change, 07/25/03)

8.3 Transmittal of the proposed amendment to the Minneapolis City Council or the applicable subcommittee thereof, shall be made at a regular or special Commission meeting. (3/11/93) (proposed change, 07/25/03)

8.4 The Chairperson shall call a special Commission meeting for the purpose of acting on transmittal if no regular meeting is scheduled within two weeks of the filing. (3/11/93) (proposed change, 07/25/03)

Rule 9. Motions.

9.1 Motions to table shall be debatable for a period not to exceed five minutes and said period shall be divided approximately equally between proponents and opponents of the motion. (2/18/75) (proposed change, 07/25/03)

9.2 A motion to rescind or reconsider an action of the Commission must be made no later than the next regular meeting of the Commission, except in those instances where proposals for Charter amendments already have been transmitted to the Minneapolis City Council or applicable subcommittee thereof and are no longer subject to rescission. The motion requires a two-thirds vote of the Commissioners present and voting. (3/11/93) (proposed changes, 07/25/03 and 09/05/03)